

**2014 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM**

2014 JUN 30 PM 1 04

Contact Person: Michelle Posada Telephone Number: 619-498-1912
 Name of Agency: San Diego Association of Governments (SANDAG)
 Mailing Address: 401 B Street, Suite 800, San Diego, CA 92101

This agency has reviewed its conflict of interest code and has determined that:

☒ **Amendments are necessary:** (Attach Amended Code)
 (Check all that applies)

- ☒ Include new positions (including consultants) which must be designated
- ☒ Revise the titles of existing positions
- ☒ Delete titles of positions that have been abolished
- ☐ Delete positions that manage public investments
- ☒ Revise disclosure categories
- ☐ Other _____

☐ **No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer: [Signature] Date: 6/27/2014

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2014 to:**

**Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101**

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>6/27/14</u>	Minute Order No. <u>23</u>
By: <u>[Signature]</u>	Date: <u>12/2/14</u>
Deputy Clerk of the Board Supervisors	



**BOARD OF DIRECTORS
DECEMBER 20, 2013**

AGENDA ITEM NO. 13-12-5

ACTION REQUESTED - APPROVE

PROPOSED AMENDMENTS TO CONFLICT OF INTEREST CODE File Number 8000100

Introduction

At least once every two years, staff reviews the SANDAG Conflict of Interest Code to determine if updates are needed. Proposed amendments to the Code shown in Attachment 1 reflect updates to existing job titles and the addition of new positions to the list of designated positions.

Recommendation

The Board of Directors is asked to approve the proposed amendments to the Conflict of Interest Code in substantially the same form as Attachment 1.

Discussion

The amendments will implement necessary updates to the list of designated employee positions subject to filing annual economic disclosure statements. Many of the new positions listed are job titles used by Toll Operations Personnel who were added to staff as a result of the acquisition of the State Route 125 franchise in 2012.

In addition, changes are proposed to the designated positions to add positions at other public agencies or consultant firms that assist SANDAG by making decisions regarding procurements or investments using SANDAG funds. More consultant positions are proposed for addition than in prior cycles due to clarifications by the Fair Political Practices Commission during the last year concerning the types of consultants who should file financial disclosures.

Those persons designated in the Conflict of Interest Code, including the members of the Board of Directors, Policy Advisory Committee, and other committees subject to California conflict laws, would need to submit their financial disclosure statement (Form 700) to SANDAG by no later than April 1, 2014.

GARY L. GALLEGOS
Executive Director

Attachment: 1. Conflict of Interest Code (with proposed amendments shown as tracked changes)

Key Staff Contact: Julie Wiley, (619) 699-6966, julie.wiley@sandag.org



CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code Sections 81000, et seq., requires SANDAG to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendices in which officials, consultants and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of SANDAG.

The persons holding positions listed in the Appendix are designated employees, consultants, or officials. It has been determined that these persons make or participate in the making of decisions ~~that~~which may foreseeably have a material effect on financial interests. Designated persons shall file statements of economic interests with SANDAG when assuming or leaving their position and annually while holding the position. SANDAG will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Statements for all designated employees will be retained by SANDAG and provided to the Code Reviewing Body, the County of San Diego.

APPENDIX A

Table 1

Designated Positions	Disclosure Categories (see Appendix B)
Members and alternate members of the Board of Directors	1, 2, 4
Members and alternate members of the Policy Advisory Committees	1, 2, 4
Members and alternate members of committees or working groups making decisions influencing expenditure of public funds	1, 2, 4
Accountant (I, II, Associate, <u>Staff</u> , Senior)	3, 4
<u>Accounting Analyst</u>	<u>3, 4</u>
Administrative Analyst (Associate, Senior)	3, 4
Administrative Office Specialist III	3, 4
Borders Program Manager	3, 4
Budget Program Manager	2, 4
<u>Business Development Manager</u>	<u>3, 4</u>
Business Services Manager and Supervisor	2, 4
Capital Development Project Manager	1, 3, 4
Chief Deputy Executive Director	1, 2, 4
Chief Economist	2, 4
<u>Chief Technology Officer</u>	<u>3, 4</u>
Contracts and Procurement Analyst (I, II, Associate, Senior)	1, 2, 4
Contracts Engineer (Associate, Senior)	1, 2, 4
<u>Counsel (Associate, Deputy, Senior, Special)</u>	<u>1, 2, 4</u>
Creative Services Manager	3, 4
<u>Customer Services Manager</u>	<u>3, 4</u>
Customer Services Representative III	3, 4
<u>Database Administrator</u>	<u>3, 4</u>
Department Director	1, 2, 4
Division Directors (<u>ARJIS</u> , Communications, Criminal Justice Research, Engineering & Construction, <u>Public Safety</u> , Rail Operations)	1, 2, 4

Designated Positions	Disclosure Categories (see Appendix B)
<u>Economic Research Analyst (I, II, Associate, Senior, Principal)</u>	<u>3, 4</u>
Engineer (Assistant I, Assistant II, Associate, Senior, Principal)	1, 3, 4
Executive Assistant/Clerk of the Board	1, 2, 4
Executive Director	1, 2, 4
<u>Facilities and Operations Coordinator</u>	<u>3, 4</u>
Finance Manager	1, 2, 4
Financial Analyst (I, II, Associate, Senior)	3, 4
Financial Programming Manager	1, 2, 4
General Counsel, Deputy General Counsel, Associate General Counsel	1, 2, 4
Goods Movement Policy Manager	1, 3, 4
Grants Coordinator	2, 4
Human Resources Analyst (I, II, Associate, Senior)	3, 4
<u>Information Systems Administrator</u>	<u>3, 4</u>
<u>Information Systems Engineer</u>	<u>3, 4</u>
Information Systems Manager	3, 4
Information Systems Analyst (I, II, Associate, Senior)	3, 4
Information Systems Specialist (I, II, III)	3, 4
Legislative Analyst (I, II, Associate, Senior)	1, 2, 4
<u>Maintenance and Facilities Supervisor</u>	<u>3, 4</u>
<u>Maintenance Field Technician (Senior)</u>	<u>3, 4</u>
Manager of Contracts and Procurement	1, 2, 4
Manager of Financial Planning and Project Control	1, 2, 4
Manager of Human Resources	3, 4
Manager of Small Business Development	2, 4
Marketing Analyst (I, II, Associate, Senior)	3, 4
Marketing Specialist	3, 4
Marketing Communications Manager	3, 4

Designated Positions	Disclosure Categories (see Appendix B)
<u>Network Administrator</u>	<u>3, 4</u>
<u>Office Administrator</u>	<u>3, 4</u>
Office Services Specialist III	3, 4
Pass-Sales Manager	3, 4
Principal Management Internal Auditor	1, 2, 4
Programmer Analyst (I, II, Associate, Senior)	3, 4
Project Control Manager	1, 2, 4
Project Coordinator	3, 4
Project Development Program Manager	1, 2, 4
Public Information Officer (I, II, Associate, Senior)	3, 4
<u>Quality Assurance Engineer (Senior)</u>	<u>3, 4</u>
Regional Economist (I, II, Associate, Senior, Principal)	3, 4
Regional Planner (Assistant I, Assistant II, Associate, Senior, Principal)	1, 3, 4
Research Analyst (I, II, Associate, Senior, Principal)	3, 4
<u>Roadway Operations Manager</u>	<u>3, 4</u>
<u>Systems Engineer (I, II, Associate Senior)</u>	<u>3, 4</u>
Technology Program Analyst (I, II, Associate, Senior, Principal)	3, 4
<u>Toll Operations Supervisor</u>	<u>3, 4</u>
TransNet and Legislative Affairs Program Director	1, 2, 4
Transportation Modeler (I, II, Associate, Senior, Principal)	3, 4

Pursuant to 2 Cal. Code of Regs. Section 18701, SANDAG consultants who pursuant to a contract with SANDAG, perform the same functions that would otherwise be performed by the persons designated in Table 1 of this document; who manage public investments; who grant agency approval to a contract or to the specifications for such a contract; or who decide whether the policies, standards, or guidelines for SANDAG have been met, also are required to fill out and submit a disclosure of financial interests. Those consultants are identified in Tables 2 and 3. Consultants will be designated and added to this list as needed whenever any person who, in the opinion of SANDAG, may reasonably be expected to make, participate in making, or in any way attempt to use his/her position as a "consultant" to influence a governmental decision in which the person might reasonably be expected to have a financial interest.

Table 2

Type of Consultant	Designated Firm Name and Job Description	Disclosure Categories (see Appendix B)
Bond Counsel	Orrick, Harrington, & Sutcliffe	2, 4
Disclosure Counsel	Nossaman, Guthner, Knox & Elliott LLP Fulbright & Jaworski LLP	2, 4
ARJIS Staff Support	ARJIS Operations Manager	2, 4
Lobbying	Ellison Willison <u>Willison Advocacy, Peyser Associates, Project Managers</u>	1, 2, 4
Project Oversight	CH2MHill, Project Managers	1, 2, 4
Project Oversight	HNTB, Project Managers	1, 2, 4
Project Oversight	PB Americas, Project Managers	1, 2, 4
Project Oversight	City of Santee, Project Managers	1, 2, 4
Project Oversight	Caltrans, <u>Corridor Directors and Task Order</u> Project Managers	1, 2, 4
Project Oversight	David Evans & Assoc., Project Managers	1, 2, 4
Project Oversight	<u>City Works, Project</u> Caltrans, Task Order Managers	1, 2, 4
<u>Project Oversight</u>	<u>ASM Affiliates, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>BRG Consulting, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Brown Marketing Strategies, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Cruz Estrella's CADD & Drafting, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Frank Wilson & Associates, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>HDR Engineering, Inc., Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>InfraConsult, LLC, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Katz & Associates, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>LSA Associates, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Media Planning & Placement, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Merkel and Associates, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>MTS, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>PGH Wong Engineering, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Pro Media, Project Managers</u>	<u>1, 2, 4</u>

Type of Consultant	Designated Firm Name and Job Description	Disclosure Categories (see Appendix B)
<u>Project Oversight</u>	<u>Quality Infrastructure Corp., Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>RailPros, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Southwest Strategies, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>TY Lin, Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight</u>	<u>Wiggans Group, Inc., Project Managers</u>	<u>1, 2, 4</u>
<u>Project Oversight for SR 425</u>	Positions at SBX with the following titles: Chief Accounting Officer Chief Technology Officer Facilities Coordinator Landscaping Supervisor Maintenance & Facilities Supervisor Marketing Manager Network Administrator Operations Manager Systems Administrator Systems Engineer	<u>2, 4</u>
<u>Disadvantaged Business Enterprise and Labor Compliance</u>	Positions at GCAP with the following titles: President Senior Analyst Analyst	<u>2, 4</u>

Public Officials Who Manage Public Investments

The following positions also are listed below because the individuals holding these positions must file under Government Code Section 87200 as they are involved in the investment of public funds. These positions are listed here for informational purposes only:

Table 3

Public Official Description
Members and alternate members of the Board of Directors
Members and alternate members of the Policy Advisory Committees
Members and alternate members of committees or working groups making decisions influencing expenditure of public funds
Executive Director
Chief Deputy Executive Director

Public Official Description	Director of Finance	General Counsel	Public Financial Management, Project Managers

APPENDIX B

When a designated person is required to disclose investment and sources of income, he or she need to disclose investments in business entities and sources of income that do business in SANDAG's jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction in the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. Persons designated in Appendix A shall disclose their financial interests pursuant to the appropriate disclosure categories described in the table below.

Table 4

Disclosure Category	Description
1	Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by SANDAG.
2	Investments and business positions in business entities, and income, including loans, gifts,* and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by SANDAG.
3	Investments and business positions in business entities, and income, including loans, gifts,* and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.
4	Investments and business positions in business entities, and income, including loans, gifts,* and travel payments, from sources that have filed a claim against SANDAG in the previous two years, or have a claim pending.

* Gifts with a value of less than \$50 aggregate per year are not reportable financial interests at SANDAG

Amended January 2010

Amended March 2012

Amended December 2013

JURISDICTION	VOTE	TALLY
Carlsbad	Y	1
Chula Vista	Y	1
Coronado	Y	1
County A	Y	1
County B	Y	
Del Mar	Y	1
El Cajon	Y	1
Encinitas	Y	1
Escondido	Y	1
Imperial Beach	Y	1
La Mesa	Y	1
Lemon Grove	Y	1
National City	Y	1
Oceanside	Y	1
Poway	Y	1
San Diego A	Y	1
San Diego B	Y	
San Marcos	Y	1
Santee	Y	1
Solana Beach	NP	
Vista	Y	1
Total		18

(100%)

PASSED

Consent Agenda

Action: APPROVE

Board of Directors Meeting, December 20, 2013

Y Yes N No ☒ A Abstain NP - Not Present

